IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Bail Appl..No. 3257 of 2007()

CMP.8018/2001 of DISTRICT COURT, THRISSUR
CRIME NO.104/2007 OF VELLIKULANGARA POLICE STATION, THRISSUR

.....

ACCUSED NO.2:

VASANTHI, AGED 36, D/O VELAYUDHAN,
KURICHEDATH HOUSE, KAMALAKATTY DESOM,
VELLIKULANGARA, THRISSUR-DIST.

BY ADV. SRI.M.H.HANIL KUMAR

RESPONDENTS: COMPLAINANT/STATE:

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1. SUB INSPECTOR OF POLICE,
VELLIKULANGARA POLICE STATION,
THRISSUR-DIST., REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, COCHIN 682031.

2. STATE OF KERALA, REPRESENTED BY THE
P[UBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN-682031.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application No.3257/2007

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DATED: 1-6-2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C., the petitioner who is the second accused in Crime No.104/2007 of Vellikulangara Police station for an offence punishable under section 8(2) of the abkari Act for allegedly having been found in possession of four litres of illicit arrack seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed, bearing in mind the decision in **Sukumari v. State of Kerala (2001 (1) KLT 22).**

With the above observation this Application is disposed of.

V.RAMKUMAR,
JUDGE.

mrcs